

**SUPREME COURT MINUTES  
THURSDAY, NOVEMBER 17, 2011  
SAN FRANCISCO, CALIFORNIA**

**S189476**

**PERRY (KRISTIN M.) v.  
BROWN, JR., (EDMUND  
G.)/(CITY & COUNTY OF  
SAN FRANCISCO)/  
(HOLLINGSWORTH)**

Opinion filed

In response to the question submitted by the Ninth Circuit we conclude, for the reasons discussed above, that when the public officials who ordinarily defend a challenged state law or appeal a judgment invalidating the law decline to do so, under article II, section 8 of the California Constitution and the relevant provisions of the Elections Code, the official proponents of a voter-approved initiative measure are authorized to assert the state's interest in the initiative's validity, enabling the proponents to defend the constitutionality of the initiative and to appeal a judgment invalidating the initiative.

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

Concurring Opinion by Kennard, J.

**S196014**

**WHITE (LARRY) ON H.C.**

Petition ordered withdrawn

Pursuant to written request of petitioner, the above-entitled petition for writ of habeas corpus is ordered withdrawn.

**S196211**

E051927 Fourth Appellate District, Div. 2

**PEOPLE v. MONTEZ  
(JULIAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196470**

E052576 Fourth Appellate District, Div. 2

**PEOPLE v. YATES (SHAWN  
DAVID)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196543**      B219485 Second Appellate District, Div. 3      **INDUSTRY, CITY OF v. CITY OF FILLMORE**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 16, 2011.

**S196570**      B231520 Second Appellate District, Div. 3      **BANK OF AMERICA CORPORATION v. S.C. (RONALD)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196617**      B226242 Second Appellate District, Div. 4      **PEOPLE v. JOHNSON (ANGELA MARIE)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196689**      H034631 Sixth Appellate District      **PEOPLE v. LOPEZ (RAYMOND EDUARDO)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 22, 2011.

**S196698**      B221393 Second Appellate District, Div. 5      **PEOPLE v. CORMIER (JOSEPH)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 22, 2011.

**S196711**      B227137 Second Appellate District, Div. 8      **PEOPLE v. GARCIA (ROBERTO)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 22, 2011.

**S196719**      H035334 Sixth Appellate District      **PEOPLE v. PLANCARTE (DANIEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196737**      E051058 Fourth Appellate District, Div. 2      **PEOPLE v. LEWIS  
(MICHAEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196738**      C065219 Third Appellate District      **PEOPLE v. KEISTER  
(RANDAL SCOTT)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196749**      B219199 Second Appellate District, Div. 3      **PACIFIC CAISSON &  
SHORING, INC. v.  
BERNARDS BROS., INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196758**      A125786 First Appellate District, Div. 4      **PEOPLE v. BELANT  
(ANDREW BRIAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196763**      B222596 Second Appellate District, Div. 3      **BULLOCK (JODIE) v. PHILIP  
MORRIS USA, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196778**      A128609 First Appellate District, Div. 3      **PEOPLE v. LARIOS  
(GERARDO RAMIREZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196779**      H035299 Sixth Appellate District      **PEOPLE v. REYES (JOSE  
LUISGARCIA)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 23, 2011.

**S196798**      B235018 Second Appellate District, Div. 8      **CORTEZ (GERARDO) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 27, 2011.

**S196830**      B209056 Second Appellate District, Div. 4      **EL-ATTAR (OSAMAH) v. HOLLYWOOD PRESBYTERIAN MEDICAL CENTER**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 28, 2011.

**S196841**      D057573 Fourth Appellate District, Div. 1      **PEOPLE v. URREA (FABIAN CAYETANO)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 28, 2011.

**S196873**      C063603 Third Appellate District      **PEOPLE v. BURNS (DWAYNE BRIAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 29, 2011.

**S196891**      D058176 Fourth Appellate District, Div. 1      **PEOPLE v. NAVARRO (MICHAEL RAY)**

The time for granting or denying review in the above-entitled matter is hereby extended to and including December 29, 2011.

**S192704**      B220174 Second Appellate District, Div. 1      **PEOPLE v. DELGADO (MILDRED)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to December 14, 2011.

**S197352**      D060307 Fourth Appellate District, Div. 1      **CHILLIS (MARION) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to November 28, 2011.

**S197875** A128898/A129157 First Appellate District, Div. 3 **IN RE J.G.**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to December 14, 2011.

**S195423** D059012 Fourth Appellate District, Div. 1 **PEOPLE v. VANGELDER (TERRY)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Chuck Sevilla is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

**S048337** **PEOPLE v. THOMAS (REGIS DEON)**

Motion denied

The motion of appellant for rescheduling of oral argument is hereby denied.

**S191020** E049932 Fourth Appellate District, Div. 2 **PEOPLE v. AHMED (AMIR A.)**

Request for judicial notice granted

Respondent's request for judicial notice, filed on June 3, 2011, is granted.

**S196276** **ALTENBERG, JR., ON DISCIPLINE**

Recommended discipline imposed

The court orders that GEORGE BERNARD ALTENBERG, JR., State Bar Number 117984, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. GEORGE BERNARD ALTENBERG, JR., is suspended from the practice of law for a minimum of the first year of probation, and he will remain suspended until the following requirements are satisfied:
  - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. GEORGE BERNARD ALTENBERG, JR., must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order

Approving Stipulation filed on July 25, 2011.

3. At the expiration of the period of probation, if GEORGE BERNARD ALTENBERG, JR., has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

GEORGE BERNARD ALTENBERG, JR., must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of suspension, whichever is longer, and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

GEORGE BERNARD ALTENBERG, JR., must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

#### **S196277**

#### **BENTLER ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBIN STEVEN BENTLER, State Bar Number 153834, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ROBIN STEVEN BENTLER is suspended from the practice of law for the first 60 days of probation;
2. ROBIN STEVEN BENTLER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 20, 2011; and
3. At the expiration of the period of probation, if ROBIN STEVEN BENTLER has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ROBIN STEVEN BENTLER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2013 and 2014. If ROBIN STEVEN BENTLER fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S196280****GHOSH ON DISCIPLINE**

Recommended discipline imposed

The court orders that AMY MAITRAYEE GHOSH, State Bar Number 201701, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for one year subject to the following conditions:

1. AMY MAITRAYEE GHOSH is suspended from the practice of law for the first 60 days of probation;
2. AMY MAITRAYEE GHOSH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 11, 2011; and
3. At the expiration of the period of probation, if AMY MAITRAYEE GHOSH has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

AMY MAITRAYEE GHOSH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with her membership fees for each of the years 2012 and 2013. If AMY MAITRAYEE GHOSH fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S196281****GORDON ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARVYN BARRY GORDON, State Bar Number 65981, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. MARVYN BARRY GORDON must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 21, 2011; and
2. At the expiration of the period of probation, if MARVYN BARRY GORDON has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARVYN BARRY GORDON must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each

of the years 2013 and 2014. If MARVYN BARRY GORDON fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S196283****COLON-VASQUEZ ON  
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SYLVIA PATRICIA COLON-VASQUEZ, State Bar Number 170766, is summarily disbarred from the practice of law and that her name is stricken from the roll of attorneys.

SYLVIA PATRICIA COLON-VASQUEZ must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S196284****O'KANE III ON DISCIPLINE**

Recommended discipline imposed

The court orders that John Joseph O'Kane III, State Bar Number 97772, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. John Joseph O'Kane III is suspended from the practice of law for the first 15 months of probation;
2. John Joseph O'Kane III must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 19, 2011; and
3. At the expiration of the period of probation, if John Joseph O'Kane III has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

John Joseph O'Kane III must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2013, 2014, and 2015. If John Joseph O'Kane III fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.



**S196285****ORLYN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BARRY M. ORLYN, State Bar Number 37228, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

BARRY M. ORLYN must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S196286****SHAH ON DISCIPLINE**

Recommended discipline imposed

The court orders that RAZI ABBAS SHAH, State Bar Number 181968, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. RAZI ABBAS SHAH is suspended from the practice of law for the first 30 days of probation;
2. RAZI ABBAS SHAH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 15, 2011; and
3. At the expiration of the period of probation, if RAZI ABBAS SHAH has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

RAZI ABBAS SHAH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2013, 2014, and 2015. If RAZI ABBAS SHAH fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S196297****TEEBKEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that WAYNE KENNETH TEEBKEN, State Bar Number 93013, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. WAYNE KENNETH TEEBKEN is suspended from the practice of law for the first 30 days

- of probation;
2. WAYNE KENNETH TEEBKEN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 20, 2011; and
  3. At the expiration of the period of probation, if WAYNE KENNETH TEEBKEN has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with membership fees for each of the years 2013 and 2014. If WAYNE KENNETH TEEBKEN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**BAR MISC. 4186    IN THE MATTER OF THE APPLICATION OF THE COMMITTEE  
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA  
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,002)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

